

# MAINE STATE LEGISLATURE

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# Sixty-Fourth Legislature.

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SENATE.

No. 77.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
EIGHTY-NINE.

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AN ACT to incorporate the Harbor Bridge Company.

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*Be it enacted by the Senate and House of Representatives  
in Legislature assembled, as follows:*

SECTION 1. Henry H. Clark, James L. Tyler, Jr., C.  
2 H. Fernald, William W. A. Heath, and E. Webster  
3 French, their associates and successors, are hereby  
4 incorporated into a corporation by the name of the  
5 Harbor Bridge Company, for the purpose of building,  
6 erecting and maintaining through and over tide waters at  
7 the mouth of Norwoods Cove, so called, at South-west  
8 harbor, in the town of Tremont, county of Hancock, at  
9 such place as said corporation may deem most practicable  
10 and convenient near the site of the old mill dam, a free  
11 roadway or bridge for public travel, with a suitable draw,  
12 and with such tide gates and locks, if any, as said  
13 company may deem desirable, and to have and enjoy

14 all the powers and privileges incident to or usually  
15 granted to similar corporations.

SECT. 2. Said roadway or bridge shall be built of earth,  
2 stone, wood, or other good material, and of not more  
3 than four rods in width. Said bridge shall contain a  
4 draw which shall be of sufficient width and located to  
5 meet the needs of navigation at that point; and said  
6 company may build, erect and maintain such piers,  
7 abutments and other structures as it may deem necessary  
8 in the premises within and without said four-rod limit,  
9 but sufficient space shall be left between said piers,  
10 abutments and other structures to allow substantially free  
11 passage of the water.

SECT. 3. Said company may occupy any lands neces-  
2 sary for its roadway, bridge, piers, abutments and other  
3 structures, and excavate or construct in, through or over  
4 such lands for such location, construction and main-  
5 tenance. It may enter upon such lands to make surveys  
6 and locations, and shall file in the Registry of Deeds in  
7 said county of Hancock plans of such location and lands,  
8 and within thirty days thereafter publish notice thereof  
9 in some newspaper in said county, such publication to be  
10 continued three weeks successively.

SECT. 4. Should the said company and the owner of  
2 such land be unable to agree upon the damages to be  
3 paid for such location, occupation and construction, the  
4 land owners may, within two years after filing of plans  
5 of location, apply to the commissioners of said county  
6 and have such damages assessed as is provided by law in  
7 cases wherein land is taken for railroads, so far as the  
8 same is consistent with provisions of this charter; and

9 where inconsistent or at variance with this charter, the  
10 charter shall control. If the company shall fail to pay  
11 such land owner, or deposit for his use with the clerk of  
12 the county commissioners such sum as may be finally  
13 awarded as damages with costs, within ninety days after  
14 final judgment, the said location shall be thereby invalid,  
15 and the company forfeit all rights under the same. If  
16 such land owner secures more damages than were  
17 tendered by said company, he shall recover costs, other-  
18 wise the company shall recover costs. In case said  
19 company shall begin to occupy such lands before the  
20 rendition of final judgment, the land owner may require  
21 said company to file its bond to him with the county  
22 commissioners in sum and with such sureties as they  
23 approve, conditioned for said payment or deposit. Fail-  
24 ure to apply for damages within said two years shall be  
25 held to be a waiver of the same. No action shall be  
26 brought against said company for such taking and  
27 occupation of lands until after such failure to pay or  
28 deposit as aforesaid.

SECT. 5. The capital stock of said company shall be  
2 four thousand dollars which may be increased to nine  
3 thousand dollars by a vote of said company and said stock  
4 shall be divided into shares of five dollars each.

SECT. 6. Said company for all its said purposes may  
2 hold real and personal estate sufficient, necessary and con-  
3 venient therefor.

SECT. 7. Said company may issue its bonds for the  
2 construction of its works, maintenance or operation of the  
3 same of any or all kinds, upon such rates and terms as it  
4 may deem expedient not exceeding the sum of nine thousand

5 dollars and secure the same by mortgage of any property  
6 and franchise of the company.

SECT. 8. Said town of Tremont is hereby empowered  
2 to purchase stock in said company at any time with all  
3 rights of such stockholders therein provided the inhabitants  
4 of said town shall by a majority vote of those present at a  
5 legal meeting authorize the same.

SECT. 9 Said town of Tremont is hereby empowered  
2 to purchase so much of the property of said company as  
3 may be situated within the limits of said town with all  
4 rights and franchises of said company connected therewith,  
5 provided the inhabitants of said town shall by a majority  
6 vote of those present at a legal meeting authorize the same.

SECT. 10. Any person who shall wilfully injure any of  
2 the property of said company shall be liable to said company  
3 for three times the amount of the actual damage to be  
4 recovered in any proper action.

SECT. 11. The first meeting of said company shall be  
2 called by the publication in the Ellsworth American, a  
3 public newspaper printed and published at Ellsworth in  
4 said county of Hancock, of a notice for the purpose signed  
5 by one corporator of said company, said notice to be pub-  
6 lished at least seven days before the date of said first  
7 meeting; and the certificate of the signer of said notice  
8 shall be sufficient proof of said publication.

SECT. 12. This act shall take effect when approved.

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## STATE OF MAINE.

IN SENATE, February 8, 1889.

Read once, and on motion by Mr. LIBBY of Cumberland, laid on table  
to be printed.

C. W. TILDEN, *Secretary.*